

MINUTES OF REGULAR MEETING June 19, 2013**1. CALL TO ORDER**

Mayor McBride called the meeting to order at 7:00 p.m.

- 2. "Sunshine Law" Announcement-**Adequate notice of this public meeting has been provided by the Annual Notice; posted on Union Township website, published in the Hunterdon County Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk's Office.

3. FLAG SALUTE**4. ROLL CALL**

	Present	Absent
Mr. Severino	X	
Mr. Mazza	X	
Mr. Hirt	X	
Ms. McBride	X	
Mr. Bischoff	X	

Also present: J.P. Jost, Attorney, Robert Clerico, Engineer and Ella M. Ruta, Twp. Clerk

5. APPROVAL OF PRIOR MEETING MINUTES

- Regular and Executive Session Meeting Minutes of June 5, 2013.
- Executive Session Meeting Minutes of May 15 and June 5, 2013

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza	X		X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff					X	

Motion carried

6. VISITORS

- Brian Walsh - NJ State Police Liaison – arrived at the later time.

7. REPORTS RECEIVED

- Dept. of Roads & Facilities- Week Ending 05/31/13; 6/07/13
 - Animal Control Officer – Jan-Jun 2013
 - Court – Violation Report
 - Engineer's Report
- Perryville Road, Section 2, I issued a memo on the status of the funding and what we need to go forward for authorization. The Resolution is on this agenda.
 - Tax Map, waiting for deeds from the Assessor.
 - Open Space for the ROSI, I provided the Attorney with the mapping and he provided you with an updated spreadsheet for the resubmission. I will check for nomenclature changes.
 - Race Street, there is no change.

- Transco, Patrick Drive. Transco made the installation of the pipe and will test it in July and undertake all the restoration work at that time.
- Road inspection tour with DR&F Foreman and the Mayor looked at inlets on Highland Ridge, Old Municipal Building site and the situation with the culvert on Polktown Road.
- I received a list of the additional contractors to send bids to for Pilot's road improvement project.
- Completed work on Lehigh Gas/Clinton Truck Stop updates.

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Mazza reported the following correspondence: None

Mr. Bischoff reported the following correspondence:

- Mayor's Advisories – Re: COAH Housing Trust Funds
- NJ DEP Re: Upper Raritan Water Quality Management Plan – Block 12, Lot 9.

Mr. Severino reported the following correspondence: None

Mr. Hirt reported the following correspondence: None

Ms. McBride reported the following correspondence:

- NJDEP Re: Upper Raritan Water Quality Management Plan – Block 12, Lot 9. Requested Clerk to send a copy of correspondence to the Planning Board and the Zoning Officer and UTEC

9. PUBLIC COMMENTS

Erin Moloney –Is requesting use of Finn Road Park for a Charity event scheduled for Saturday, August 24th, from 2:00 pm to 8:00 pm. Ms. Moloney gave an overview of the background of the charity and description of the events. Committee will discuss in Executive Session.

10. PUBLIC HEARING

11. OLD BUSINESS

a. **Motion to Approve:** NJ State Firemen's Association Membership Application for Donald G. Van Fossen. Mark Metz, Recording Secretary for our Township's relief association. Mr. Van Fossen is already a 12 year member. He was formerly a member of the Frenchtown Fire Company and he has not transferred his credits to Association for Union Township that he is doing now.

Motion: Approve the transfer of the NJ State Firemen's Association membership of Donald G. Van Fossen from Frenchtown to Union Township.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

12. NEW ORDINANCE – 1ST Reading**13. NEW BUSINESS**

a. Following resolution introduced for adoption:

RESOLUTION #2013-85**UNION TOWNSHIP, HUNTERDON COUNTY****2013-2014 PLENARY RETAIL CONSUMPTION LICENSE – RENEWAL**

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption License be issued in the Township of Union to be effective on July 1, 2013; and

BE IT FURTHER RESOLVED that the Municipal Clerk or his/her duly authorized agent is hereby authorized to renew the following inactive “Pocket” license:

Name & Trade Name: JJ Development III LLC

Location & Mailing Address: 171 Route 173 Suite #201
Asbury, NJ 08802

License #: 1025-33-006-007

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

b. Following resolution introduced for adoption:

RESOLUTION #2013-86**UNION TOWNSHIP, HUNTERDON COUNTY****AWARDING A CONTRACT FOR THE REPLACEMENT OF THE ENTRANCE SIDEWALK OF THE MUNICIPAL BUILDING**

WHEREAS, quotes were solicited for the replacement of the entrance sidewalk of the Township Municipal Building; and

WHEREAS, three quotes have been submitted for said project and the lowest quote is from Peter’s Masonry LLC 27 Chestnut Terrace, Flemington, New Jersey 08822, in the amount of \$6,580.00.

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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, that a contract be awarded to Peter's Masonry LLC 27 Chestnut Terrace, Flemington, New Jersey 08822, in the amount of \$6,580.00.;

BE IT FURTHER RESOLVED, that the acceptance of this bid is contingent upon receipt from the Township Certified Financial Officer of a certification of availability of funds for said contract.

Date: June 19, 2013

CERTIFICATION AS TO AVAILABILITY OF FUNDS
UNION TOWNSHIP, HUNTERDON COUNTY

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, as Acting Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 2013 to award a contract to Peter's Masonry, under the line item "Capital Ordinance #2013-4".

Date: _____

Grace M. Brennan, CFO

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

c. Following resolution introduced for adoption:

RESOLUTION 2013-87

Re: Appointment of Union Township Tax Assessor

WHEREAS, Union Township is in need of a Tax Assessor and Michelle Trivigno is a Certified Tax Assessor of the State of New Jersey in good standing; and

WHEREAS, after reviewing the candidate, the Township Committee made an offer of employment to Michelle Trivigno by letter of Mayor Michele McBride dated June 6, 2013, which offer was accepted by Michelle Trivigno on June 10, 2013, and good cause appearing

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey that Michelle Trivigno, a Certified Tax Assessor of the State of New Jersey, is hereby appointed, confirmed and ratified as the Tax Assessor of the Township of Union, effective June 17, 2013 for a term as provided by law at an annual salary of \$25,000.00; and

BE IT FURTHER RESOLVED that the employment of Michelle Trivigno shall be in accordance with the terms and conditions contained in the said letter of Mayor Michele McBride dated June 6, 2013; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

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Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

TOWNSHIP OF UNION

RESOLUTION 2013 – 88

RESOLUTION: **Approval to have Mr. Robert Clerico, P.E., Township Engineer, design and prepare the cost estimate for the improvement of section 2A Perryville Road.**

WHEREAS, Perryville Road Section 2A is in need of improvement; and

WHEREAS, design and cost estimates are needed for said improvement; and

WHEREAS, the funding for this design and cost estimate is available through

Ordinance 2012-11;

NOW, THEREFORE, BE IT RESOLVED that Robert J. Clerico, P.E., Township Engineer is hereby authorized to design and prepare the cost estimate for improvement of Section 2A Perryville Road.

- d. **Motion to Approve:** Fire Protection Services Agreement – Franklin Fire District No. 1. Tabled for next meeting. CFO to review.
- e. **Motion to Authorize the Clerk to Sign:** Application for Catering Permit – The Pattenburg House

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

- f. **Motion to Authorize the Clerk to Sign:** Application for Catering Permit – St. Catherine of Sienna Catholic Church

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

14. REPORTS**a. Attorney's Report**

- ROSI (Recreation and Open Space Inventory)

RESOLUTION #2013- 89
UNION TOWNSHIP, HUNTERDON COUNTY
RECREATION & OPEN SPACE INVENTORY

BE IT RESOLVED that the Mayor is hereby authorized to sign the ROSI documents for the Green Acres Contract as well as the Contract itself that was previously authorized.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza	X		X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

b. Committee Report

Mr. Mazza reported the following:

- The fallen trees and branches from the latest storm have been taken to GreenRock Recycling.
- Asked Tom Cannan if GPS purchased for the trucks. The CFO is working on obtaining the credit card needed for the purchase.
- Go ahead for DR&F Foreman and me to look into auction or sale of the three pick-up trucks. Discussion of including other items in the auction.
- I asked for ideas of where to put the new garage.
- I received several complaints that recycling is confusing.
- Mayor inquired about moving the blue shed to the park for sports equipment storage.

OUT OF AGENDA ORDER**9. VISITORS**

- a. Brian Walsh-NJ State Police Liaison introduced himself and mentioned that Lt. Seaman and Sgt. Cymerman are now in charge at the Perryville Barracks. There was a brief discussion of issues involving trucks and stopping/idling ticketing and confusing road signage. Mayor thanked the State Police for listening to the Township's concerns and acting upon them.

RETURN TO AGENDA ORDER

Mr. Severino reported the following:

- Electronic recycle. Container will be on site by the end of this week.
- New heat pump system installed.

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Mr. Hirt reported the following:

- I attended the Hunterdon County Farmland Meeting today.
- Talked to Peter Masonry and he is ready to start the entrance sidewalk.
- After speaking with the CFO, I will take care of replacing the soffit vents.
- I am working on the basement dampness.
- Mayor asked me to work with her on the demo projects at the old municipal building site.

Mr. Bischoff reported the following:

- Quote “Talk is cheap, except when Congress does it.” Anonymous
- League of Municipalities Registration
- There has been no response from Mr. Balzano to the Attorney’s letter. Mr. Bischoff will contact him.
- I gave status of the Transco Stanton Loop.

c. Mayor’s Report

- I received a letter from Mayor Paul Muir of Bethlehem Township. Dan Van Fossen will attend the meeting tomorrow night and will give a report of what he finds about the Municipal Fire Dept. Recovery Company. An invitation to the Committee to attend the meeting.
- I have a copy of the Clinton Township Resolution for NJSEM to pass on to the CFO.
- Township Facebook page update.
- Asbestos testing, RK Environmental came onsite on June 14th and I worked with them at the old garage and in the old municipal building to look for asbestos. They took about 12 samples of different materials and they will get back to us in a week.
- We had a Pilot meeting on June 17th and we can discuss that in Executive under negotiations.
- Executive, negotiations for Race St. project.
- I received a phone call from Bob Loncore on the archery center project from DEP. They will attend Sept. 4th Committee Meeting to discuss and share their feasibility study with us.
- The Monday storm caused power outage in large portion of south side of town for 24 hrs. Stan Prater, JCP&L was extremely helpful with several special situations. No Finn Road Park drop off for storm debris, message will be on our website.
- Because of the special election on Wednesday, October 16th, the Committee Meeting will be held on Thursday, October 17th.

d. Clerk’s Report**15. PUBLIC COMMENTS – none****16. PAYMENTS OF BILLS**

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date paid and that all checks listed hereinafter issued in payment thereof.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

17. EXECUTIVE SESSION

The following Resolution introduced for adoption:

RESOLUTION #2013 - 90**Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12**

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. _____ *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. _____ *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. _____ *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
4. _____ *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
5. _____ *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
6. _____ *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
7. X *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any

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matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.

8. ____ *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
9. _____ *Matters Relating to the Potential Imposition of a Penalty:* Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in public session on June 19, 2013 at 8:53 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza	X		X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

9:05 Robert Clerico, Engineer left the meeting.

Motion to come out of Executive Session – 9:17 p.m.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

In Executive Session, the Committee discussed the Charity Event at Finn Road Park and decided not to go forward with it. I will inform Ms. Molonay of that tomorrow.

18. ADJOURNMENT – There being no further business to come before the Township Committee at this time, Mr. Bischoff made a motion to adjourn the meeting at 9:17 p.m. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Patricia Essig, Deputy Clerk

Michele McBride, Mayor